

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 05-30001-001

STEVEN WILLARD

DEFENDANT

O R D E R

On the 26th day of September, 2005, came on for hearing defendant's **Application To Proceed Without Prepayment Of Fees** (document #34) and **Motion And Affidavit For Permission To Appeal In Forma Pauperis** (document #35). From the representations of counsel and of defendant at that hearing, and the motions themselves, the Court finds and orders as follows:

Defendant pled guilty to one count of Travel with Intent to Engage in Illicit Sexual Conduct, in violation of **18 U.S.C. §2423(b)**, and one count of Transporting in Interstate Commerce Material Containing or Constituting Child Pornography, in violation of **18 U.S.C. §§2252A(a)(1), (b)(1) and 2256(2)**. He was sentenced to a term of imprisonment of 168 months on each count, to run concurrently, and to a term of supervised release for life on each count, to run concurrently. He has filed a Notice of Appeal, and seeks to proceed as an indigent.

The Court finds that defendant is indigent, based on the financial data in the pending motions, which indicate that he

is currently incarcerated and without income. Although defendant paid his trial counsel \$15,000.00, both he and the attorney represented to the Court that their agreement from the beginning was that such sum would not cover the costs of appeal, and that counsel was retained only up to the point of appeal.

IT IS THEREFORE ORDERED that defendant's **Application To Proceed Without Prepayment Of Fees** (document #34) is **granted**.

IT IS FURTHER ORDERED that defendant's **Motion And Affidavit For Permission To Appeal In Forma Pauperis** (document #35) is **granted**.

IT IS SO ORDERED, this 29th day of September, 2005.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE